

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MANUEL DE JESUS ROSARIO,

Plaintiff,

-against-

MIS HIJOS DELI CORP., PALMA GROCERY CORP.,
251 E 123RD ST. REALTY, LLC, JOSE PALMA,
LEONIDA COLLADO, and JUNIOR PALMA,

Defendants.

No. 15-CV-6049 (LTS)(DCF)

**NOTICE OF DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT**

Defendant 251 E. 123rd St. Realty, LLC (hereinafter "Defendant"), by and through the undersigned counsel, respectfully moves this Court, at such date and time as the Court may direct, for an Order Granting Summary Judgment dismissing Plaintiff's Complaint pursuant to Rule 56 of the Federal Rules of Civil Procedure for Summary Judgment. In support of this motion, Defendant relies on the accompanying (i) Rule 56.1 Statement of Material Facts, (ii) Memorandum of Law in Support of Motion for Summary Judgment, (iii) Declaration of Argilio Rodriguez, Esq. (and Exhibits attached thereto) and (iv) all the pleadings and proceedings herein.

Dated: New York, New York
October 8, 2016

/s/ Argilio Rodriguez, Esq.
By: Argilio Rodriguez, Esq.
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Attorneys for Defendants

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Attorneys for Plaintiff

CERTIFICATION OF SERVICE

I, Argilio Rodriguez, hereby certify that on October 8th, 2016, I caused a copy of the attached Notice of Defendant's Motion for Summary Judgment, Memorandum of Law, Affirmation of Argilio Rodriguez, Esq. and Local Rule 56.1 Statement to be served: (i) electronically on all counsel registered for electronic service in this action; and (ii) by mail to opposing counsel.

Dated: New York, New York
October 8, 2016

/s/Argilio Rodriguez
Argilio Rodriguez, Esq.